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The situation in the Syrian Arab Republic

The General Assembly,

Recalling its resolutions 66/176 of 19 December 2011, 66/253 A of 16 February 2012, 66/253 B of 3 August 2012, and 67/183 of 20 December 2012 and Human Rights Council resolutions S-16/1 of 29 April 2011, S-17/1 of 23 August 2011,[1] S-18/1 of 2 December 2011,[2] 19/1 of 1 March 2012,[3] 19/22 of 23 March 2012,[3] S-19/1 of 1 June 2012,[4] 20/22 of 6 July 2012,[5] 21/26 of 28 September 2012[6] and 22/24 of 22 March 2013,

Recalling also Security Council resolutions 2042 (2012) of 14 April 2012 and 2043 (2012) of 21 April 2012,

Recalling further all resolutions of the League of Arab States relating to the situation in the Syrian Arab Republic, in particular resolution 7595 of 6 March 2013, in which the League reviewed the very serious situation in the Syrian Arab Republic due to the escalating violence and killings in most of the Syrian territory, and the continuation of grave violations of human rights by the Syrian authorities using heavy weapons, warplanes and Scud missiles to bomb neighbourhoods and populated areas, which has seriously increased the number of victims, caused human

[1] See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53* (A/66/53), chap. I.
[2] Ibid., *Supplement No. 53B* and corrigendum (A/66/53/Add.2 and Corr.1), chap. II.
[3] Ibid., *Sixty-seventh Session, Supplement No. 53* and corrigendum (A/67/53 and Corr.1), chap. III, sect. A.
[4] Ibid., chap. V.
[5] Ibid., chap. IV, sect. A.
[6] Ibid., *Supplement No. 53A* (A/67/53/Add.1), chap. III.

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displacement inside the Syrian Arab Republic and an influx of thousands of Syrians to the neighbouring countries fleeing violence, which targets children and women who have been subjected to frightful massacres, threatening thus to lead to the collapse of the Syrian State, and endangers the security, peace and stability of the region,

Recalling Organization of Islamic Cooperation resolution 2/4-EX (IS) of 15 August 2012 on the situation in the Syrian Arab Republic, in which the Organization called for the immediate implementation of the transitional plan and the development of a peaceful mechanism that would allow the building of a new Syrian State based on pluralism and a democratic and civilian system, where there would be equality on the basis of law, citizenship and fundamental freedoms,

Expressing grave concern at the continuing escalation of violence in the Syrian Arab Republic, in particular the continued widespread and systematic gross violations and abuses of human rights and violations of international humanitarian law, including those involving the continued use of heavy weapons and aerial bombardments, such as the indiscriminate use of ballistic missiles and cluster munitions, by the Syrian authorities against the Syrian population, and the failure of the Government of the Syrian Arab Republic to protect its population,

Expressing outrage at the rapidly increasing death toll of at least 70,000 casualties in the Syrian Arab Republic, as reported by the United Nations High Commissioner for Human Rights on 12 February 2013,[7]

Recalling the statements made by the United Nations High Commissioner for Human Rights before the Human Rights Council and the Security Council that crimes against humanity are likely to have been committed in the Syrian Arab Republic, stressing that the Syrian authorities have failed to prosecute such serious violations, and noting the repeated encouragement by the High Commissioner to the Security Council to refer the situation to the International Criminal Court,

Welcoming the extension of the mandate of the independent international commission of inquiry on the Syrian Arab Republic, and deeply regretting the lack of cooperation of the Government of the Syrian Arab Republic with the commission, in particular the persistent denial of access of its members to the Syrian Arab Republic,

Expressing concern at the occurrence of grave violations against children in the Syrian Arab Republic, that children were among the victims of military operations carried out by Government forces, including the Syrian armed forces, intelligence forces and *shabbiha* militias, and that children were victims of killing and maiming, arbitrary arrest, detention, torture, ill-treatment and sexual violence, and were used as human shields and recruited and used in the conduct of hostilities in violation of international law, welcoming the intent of the Special Representative of the Secretary-General for Children and Armed Conflict to pay a second visit to the region, demanding that all parties grant her full and unfettered access to all areas in the Syrian Arab Republic, and calling on neighbouring countries to provide her with all necessary assistance,

Expressing concern at the vulnerable situation of women in the Syrian Arab Republic, including being subjected to discrimination, sexual and other physical abuse, violation of their privacy and arbitrary arrest and detention in raids, including

[7] See S/PV.6917.

to force their male relatives to surrender, recalling that such acts of sexual and gender-based violence could amount to war crimes and crimes against humanity, underlining the importance of preventing all sexual violence and violence based on gender, and welcoming the intent of the Special Representative of the Secretary-General on Sexual Violence in Conflict to visit the Syrian Arab Republic to investigate these violations and abuses,

Deploring the failure of the Syrian authorities to release all arbitrarily detained persons and grant access to detention centres to relevant humanitarian organizations with a view to ensuring the humane treatment of detainees,

Deploring also the further deterioration of the humanitarian situation and the failure to ensure the safe and timely provision of humanitarian assistance to all areas affected by the fighting,

Expressing deep concern at the more than one million refugees and millions of internally displaced persons who have fled as a result of the extreme violence,

Welcoming the efforts by neighbouring countries and other countries in the region to host Syrian refugees while acknowledging the socioeconomic consequences of the presence of large-scale refugee populations in these countries, notably Jordan, Lebanon, Turkey, Iraq and Egypt, and calling upon Member States, based on burden-sharing principles, to host the Syrian refugees in coordination with the Office of the United Nations High Commissioner for Refugees,

Welcoming also the contributions to humanitarian efforts already provided by Member States, notably by regional countries, and recalling the urgent need to provide financial support to the Syrian humanitarian response plan and the regional refugee response,

Expressing its determination to seek ways and means to provide protection to the Syrian civilian population,

Expressing grave concern at the threat by the Syrian authorities to use chemical or biological weapons and at allegations of reported use of such weapons, and welcoming the decision of the Secretary-General to investigate all allegations of their use in the Syrian Arab Republic,

Stressing that rapid progress on a political transition represents the best opportunity to resolve the situation in the Syrian Arab Republic peacefully, reaffirming its support for the engagement of the Secretary-General, the Joint Special Representative of the United Nations and the League of Arab States and all diplomatic efforts aimed at reaching a political solution to the crisis, reaffirming also the role of regional and subregional organizations in the maintenance of international peace and security as set out in Chapter VIII of the Charter of the United Nations, and welcoming the relevant resolutions of the League of Arab States to address the situation in the Syrian Arab Republic,

Recalling all meetings of the Group of Friends of the Syrian people, in particular the fourth Ministerial Meeting, held in Marrakech, Morocco, on 12 December 2012, where the participants acknowledged the National Coalition for Syrian Revolutionary and Opposition Forces as the legitimate representative of the Syrian people,

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic and to the principles of the Charter of the United Nations,

Recalling that all Members of the United Nations shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,

Reaffirming the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights[8] and relevant international human rights law, including the International Covenant on Civil and Political Rights,[9] and recalling the obligation of the Syrian Arab Republic to protect human rights and fundamental freedoms,

International humanitarian law and human rights

1. *Strongly condemns* the continued escalation in the use by the Syrian authorities of heavy weapons, including indiscriminate shelling from tanks and aircraft, and the use of ballistic missiles and other indiscriminate weapons against population centres, as well as the use of cluster munitions;

2. *Strongly condemns* all violations of international humanitarian law and the continued widespread and systematic gross violations of human rights and fundamental freedoms by the Syrian authorities and the Government-affiliated *shabbiha* militias, such as those involving the use of heavy weapons, aerial bombardments and other force against civilians, attacks on schools, hospitals and places of worship, massacres, arbitrary executions, extrajudicial killings, the killing and persecution of protestors, human rights defenders and journalists, arbitrary detention, enforced disappearances, violations of the right of the child, including the recruitment and use of children in the conduct of hostilities in violation of international law, unlawful interference with access to medical treatment, failure to respect and protect medical personnel, torture, systematic sexual violence, including rape in detention, and ill-treatment, including against children, as well as any human rights abuses or violations of international humanitarian law by anti-Government armed groups;

3. *Condemns* all violence, irrespective of where it comes from, and calls upon all parties to immediately put an end to all forms of violence, including terrorist acts and acts of violence or intimidation that may foment sectarian tensions, and to comply strictly with their obligations under international law, including international humanitarian law;

4. *Demands* that all parties immediately put an end to all violations of international humanitarian law, including those involving attacks against civilians, also demands that the Syrian authorities immediately end all violations of international human rights law and meet their responsibility to protect the population and comply fully with their obligations under applicable international law, including international law applicable to the rights and protection of women and girls, and the Convention on the Rights of the Child, calls upon all parties to the

[8] Resolution 217 A (III).

[9] Resolution 2200 A (XXI), annex.

conflict to issue clear orders against sexual violence through their respective chains of command and to undertake investigations to hold perpetrators of sexual violence to account, also calls upon all parties to facilitate the immediate access for survivors of sexual violence to available services, and urges donors to support services that address the health, psychosocial and protection needs of survivors;

5. *Demands* that the Syrian authorities immediately release all persons arbitrarily detained, including the members of the Syrian Centre for Media and Freedom of Expression, publish a list of all detention facilities, ensure that conditions of detention comply with applicable international law, and immediately allow access of independent monitors to all detention facilities;

6. *Strongly condemns* the shelling as well as the shooting by the Syrian armed forces into neighbouring countries, which led to casualties and injuries of the civilians of those countries as well as of Syrian refugees, underlines that such incidents violated international law, stresses the grave threat of the crisis in the Syrian Arab Republic on the security of its neighbours and on regional peace and stability, as well as its grave implications for international peace and security, and calls upon the Syrian Government to respect the sovereignty of neighbouring States and meet its international obligations in this regard;

7. *Demands* that the Syrian authorities grant the independent international commission of inquiry and individuals working on its behalf immediate, full and unfettered entry and access to all areas of the Syrian Arab Republic, and also demands that all parties cooperate fully with the commission of inquiry in the performance of its mandate to investigate all alleged violations of international human rights law since March 2011, as well as with other United Nations special procedures, and invites the commission of inquiry to brief the General Assembly on the situation of human rights in the Syrian Arab Republic;

8. *Stresses again* the importance of ensuring accountability and the need to end impunity and hold to account all those responsible for serious violations of international humanitarian law and serious violations and abuses of international human rights law, including those that may amount to war crimes and crimes against humanity, as recommended by the United Nations High Commissioner for Human Rights;

9. *Encourages* the Security Council to consider appropriate measures in this regard;

10. *Underlines* the importance that the Syrian people, on the basis of broad, inclusive and credible consultations, should determine, within the framework provided by international law and based upon the complementarity principle, the domestic process and mechanisms to achieve reconciliation, truth and accountability for gross violations, as well as reparations and effective remedies for the victims;

11. *Demands* that the Syrian authorities strictly observe their obligations under international law with respect to chemical and biological weapons, including Security Council resolution 1540 (2004) and the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925,[10] and also demands that the Syrian authorities refrain from using or transferring to non-State actors any chemical

[10] League of Nations, *Treaty Series*, vol. XCIV (1929), No. 2138.

and biological weapons or any related material, and that the Syrian authorities meet their obligations to account for and to secure all chemical and biological weapons and any related material;

12. *Also demands* that the Syrian authorities grant full and unfettered access to the investigation of the Secretary-General into all alleged uses of chemical weapons, and calls upon all parties to cooperate with the investigation;

Humanitarian situation

13. *Deplores* the deteriorating humanitarian situation and the failure to ensure the safe and timely provision of humanitarian assistance to all areas affected by the fighting;

14. *Reiterates its call upon* the Syrian authorities to immediately and fully implement the agreed humanitarian response plan, and for all parties to the conflict to grant immediate, safe, full and unimpeded access of humanitarian personnel to all populations in need of assistance in all parts of the Syrian Arab Republic, in particular to medical facilities, and calls upon those parties to cooperate fully with the United Nations and relevant humanitarian organizations to facilitate the provision of humanitarian assistance through the most effective routes;

15. *Demands* that the Syrian authorities facilitate the access of humanitarian organizations to all people in need through the most effective routes, including by providing authorization for cross-border humanitarian operations as an urgent priority, and encourages all parties in the Syrian Arab Republic to facilitate the delivery of assistance in areas under their control, including across conflict lines, in order to implement fully the humanitarian response plan;

16. *Strongly condemns* all attacks and threats of violence against humanitarian and medical personnel and against medical facilities and vehicles, in violation of international law, and the use of medical civilian facilities, including hospitals, for armed purposes, and calls for all medical facilities to be free of weapons, including heavy weapons, consistent with applicable international law;

17. *Condemns* all attacks on, detentions of and threats of violence against United Nations personnel, and calls upon all parties in this regard to respect the human rights, privileges and immunities of United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation;

18. *Expresses grave concern* at the increasing numbers of refugees and internally displaced persons as a result of the ongoing violence, which could undermine the capacities of the neighbouring countries to provide Syrian refugees with adequate humanitarian needs;

19. *Reiterates its appreciation* of the significant efforts that have been made by neighbouring countries and the countries of the region to assist those who have fled across the borders of the Syrian Arab Republic as a consequence of the violence, and urges all relevant United Nations agencies, in particular the Office of the United Nations High Commissioner for Refugees, and other donors and humanitarian actors to provide urgent and coordinated support to Syrian refugees and their host countries;

20. *Welcomes* the hosting by the Government of Kuwait on 30 January of the pledging conference for the United Nations Joint Appeal,

21. *Requests* the Special Rapporteur on the human rights of internally displaced persons, in cooperation with the Secretariat, to submit a written report to the General Assembly, within 90 days on the very dire situation of internally displaced persons in the Syrian Arab Republic in terms of safety and their basic rights and livelihoods, and to provide recommendations with a view to meeting assistance and protection needs and strengthening the effectiveness of the international response to displacement;

22. *Urges* the international community to provide urgent financial support to the host countries to enable them to respond to the growing humanitarian needs of Syrian refugees and affected communities, and to consider addressing the refugee issue through appropriate means and measures, in accordance with the principle of burden-sharing;

23. *Urges* all donors to provide expeditiously financial support in the context of the humanitarian response plan and the regional refugee response plan to United Nations and international humanitarian organizations, as well as the host countries, so that they can implement more actively the humanitarian response plan inside the country;

24. *Calls upon* Member States to provide all support to the Syrian people, and encourages Member States to contribute to the United Nations humanitarian response efforts;

Political transition

25. *Reiterates its call for* an inclusive Syrian-led political transition to a democratic, pluralistic political system, in which citizens are equal regardless of their affiliations, ethnicities or beliefs, including through the commencement of a serious political dialogue between credible, empowered and mutually acceptable interlocutors representing the Syrian authorities and the Syrian opposition;

26. *Welcomes* the establishment of the National Coalition for Syrian Revolutionary and Opposition Forces on 11 November 2012 in Doha as effective representative interlocutors needed for a political transition, as well as its commitment, expressed in its communiqués dated 15 and 23 February and 20 April 2013, to the principle of a political transition leading to a civil, democratic and pluralistic Syrian Arab Republic, where all citizens are equal regardless of gender, religion or ethnicity, and notes the wide international acknowledgement, notably at the fourth Ministerial Meeting of the Group of Friends of the Syrian people, of the Coalition as the legitimate representative of the Syrian people;

27. *Welcomes* the efforts of the League of Arab States towards a political resolution of the situation in the Syrian Arab Republic, and its relevant resolutions in this regard;

28. *Reaffirms* its support for the mission of the Joint Special Representative of the United Nations and the League of Arab States, and demands in this regard that all Syrian parties work with his office to implement rapidly the transition plan set forth in the final communiqué issued by the Action Group for Syria on 30 June 2012, in a way that assures the safety of all in an atmosphere of stability and calm, provides for clear and irreversible steps in the transition according to a fixed time frame and establishes a consensus transitional governing body with full executive powers to which all functions of the presidency and Government are transferred,

including those pertaining to military, security and intelligence issues, as well as a review of the constitution on the basis of an inclusive national dialogue and free and fair multiparty elections held in the framework of this new constitutional order;

29. *Requests* the Secretary-General to provide support and assistance for the implementation of the transition plan set forth in the final communiqué of the Action Group for Syria, and encourages Member States to provide active diplomatic support in this regard;

30. *Requests* that the Secretary-General, working in close coordination with international financial institutions, relevant regional and international organizations, including the League of Arab States, other relevant international actors and Syrian representatives, initiate planning to provide support and assistance to Syrian-led transition and be granted appropriate resources in this regard;

31. *Requests* the Secretary-General to report within 30 days on the implementation of the present resolution.